

11/03/93

355-201-11/fwc

03/147912

REQUEST FOR FILE WRAPPER CONTINUING APPLICATION UNDER 37 C.F.R. 1.62		Docket Number: P41 9498	
Anticipated Classification of this Application:		Prior Application: 07/666,252	
Class	Subclass	Examiner C. Low	Art Unit 1814

HON. COMMISSIONER OF PATENTS  
AND TRADEMARKS  
Box FWC  
Washington, D.C. 20231

Sir:

This is a request for filing a continuation-in-part  
X continuation divisional application under 37 C.F.R. 1.62, of  
prior application Serial No. 07/666,252, filed on March 8, 1991, entitled  
FLP-MEDIATED GENE MODIFICATION IN MAMMALIAN CELLS, AND COMPOSITIONS AND CELLS  
USEFUL THEREFOR  
by the following named inventor(s):

2 0 1	FULL NAME OF INVENTOR	LAST NAME Wahl	FIRST NAME 1-00 Geoffrey	MIDDLE NAME M.	
	RESIDENCE & CITIZENSHIP	CITY San Diego	STATE OR FOREIGN COUNTRY California CA		COUNTRY OF CITIZENSHIP U.S.A.
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 4258 Arguello Street	CITY San Diego	STATE OR COUNTRY California	ZIP CODE 92103
2 0 2	FULL NAME OF INVENTOR	LAST NAME O'Gorman	FIRST NAME 2-00 Stephen	MIDDLE NAME V.	
	RESIDENCE & CITIZENSHIP	CITY San Diego	STATE OR FOREIGN COUNTRY California CA		COUNTRY OF CITIZENSHIP U.S.A.
	POST OFFICE ADDRESS	POST OFFICE ADDRESS 2761 Hvasupai Avenue	CITY San Diego	STATE OR COUNTRY California	ZIP CODE 92117
2 0 3	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY		COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
2 0 4	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY		COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE
2 0 5	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME	
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY		COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE

The above identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all contents of the prior application file wrapper, including the drawings, as the basic papers for the new application. (Note: 37 C.F.R. 1.60 may be used for applications where the prior application is not to be abandoned.)

1. X Enter the amendment previously filed on October 13, 1993, under 37 C.F.R. 1.116 but unentered in the prior application.
2. X A preliminary amendment is enclosed.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

	Number filed	Number Extra	Rate	Fee
Total Claims	9 - 20	0	X 11 22	0
Independent Claims	2 - 3	0	X 37 74	0
Multiple Dependent Claim                      ___ Yes <u>X</u> No			115 230	0
Basic Fee			355 710	355
		Total Filing Fee		355

3. X A check in the amount of \$355.00 is enclosed.
4. X The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account No. 16-2460. A duplicate copy of this sheet is enclosed.
5. \_\_\_ A new oath or declaration is included since this application is a continuation-in-part which discloses and claims additional matter.
6. \_\_\_ Amend the specification by inserting before the first line:  

This application is a continuation-in-part  
continuation divisional of application serial no. 07/666,252, filed March 8, 1991.
7. X A verified statement claiming small entity status was filed in parent application Serial No. 07/666,252, filed March 8, 1991, and such status is still proper.
8. X Priority of application Serial No. 07/666,252, filed on March 8, 1991, in U.S. Patent and Trademark Office is claimed under 35 U.S.C. 119.
9. X The prior application is assigned of record to THE SALK INSTITUTE FOR BIOLOGICAL STUDIES.
10. X The power of attorney in the prior application is to PRETTY, SCHROEDER, BRUEGGEMANN & CLARK of 444 South Flower Street, Suite 2000, Los Angeles CA 90071.
11. X Information Disclosure Statement(s) filed in the prior application under 37 C.F.R. 1.97 is (are) hereby made of record.

Address all future communications to: (May only be completed by applicant, or attorney or agent of record)

Stephen E. Reiter  
PRETTY, SCHROEDER, BRUEGGEMANN & CLARK  
444 South Flower Street, Suite 2000-  
Los Angeles, California 90071  
(619) 546-4737

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. 1.62 application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

Respectfully submitted,

11/3/93  
Date

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Registration No.: 31,192  
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       inventor(s)

  X   attorney or agent of record

       assignee of complete interest

       filed under Sec. 1.34(a)

Pretty, Schroeder, Brueggemann  
& Clark  
444 South Flower Street  
Suite 2000  
Los Angeles, California 90071



CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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DATE OF DEPOSIT November 3, 1993

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231.

November 3, 1993  
Date

Lorraine Zagorski